

CITY COUNCIL AGENDA FOLLOW UP: July 01, 2013

<p>Call to Order</p> <p><u>Announcements & Upcoming Meetings:</u></p> <ul style="list-style-type: none"> • On Monday, July 15th, at 7:00 PM, in City Council Chambers, there will be a public hearing regarding 5 proposed Comprehensive Plan Amendments for docketing for review in 2013/2014 in areas located in Samish, Happy Valley and Cordata Neighborhoods, Meridian, Cornwall Park and South Neighborhoods, and a City-Wide Update to the Parks, Recreation and Open Space Plan • On Monday, July 15, at 1:00 PM, in City Council Chambers, the Bellingham City Council's Waterfront Committee will hear a presentation regarding the Waterfront District proposal and associated documents. • City and Port staff will be available to discuss the Waterfront District proposal and answer questions at an informational open house in the lobby of City Hall scheduled July 17, 12:00 p.m. to 1:30 p.m. and 5:00 p.m. to 7:00 p.m.. • On Monday, August 5, at 7:00 PM, in City Council Chambers, there will be a public hearing regarding the proposed Waterfront District Sub-Area Plan, Development Regulations, Design Standards, Planned Action Ordinance, Development Agreement and Facilities Interlocal Agreement <p>Bellingham City Council meets all requirements of the State of Washington Open Meetings Act.</p>	
<p><u>Pledge Of Allegiance</u></p> <p>Led by Council President Fleetwood.</p>	
<p><u>Roll Call</u></p> <p>All present.</p>	
<p><u>Approval Of Minutes</u></p> <p>SNAPP / KNUTSON moved approval of the June 17, 2013 minutes of the regular City Council meeting as submitted. MOTION CARRIED 6-1, FLEETWOOD abstained.</p>	APPROVED
<p><u>15-Minute Public Comment Period</u></p>	
<p><u>Public Works / Public Safety</u></p> <p>Stan Snapp, Chair Terry Bornemann; Gene Knutson</p>	
<p>AB20030 1. Discussion regarding the Neighborhood Traffic Safety Program (NTSP)</p> <p>SNAPP / KNUTSON moved to support the staff recommendation of not modifying the NTSP and that pedestrian and bicycle conflicts be addressed through the implementation of the Pedestrian and Bicycle Master Plans using Transportation Benefit District (TBD) Funds. MOTION CARRIED 5-2, LILLIQUIST, WEISS opposed.</p>	DIRECTION TO STAFF
<p>AB20031 2. Review and approval of Public Works Surface and Storm Water Utility (SSWU) Engineering Technician Position</p> <p>“AN ORDINANCE RELATING TO THE 2013 BUDGET APPROPRIATING AN ADDITIONAL \$33,282.00 IN THE STORM AND SURFACE WATER FUND TO PROVIDE FOR THE ADDITION OF ONE NEW POSITION IN THE PUBLIC WORKS DEPARTMENT NATURAL RESOURCES GROUP, FROM ESTIMATED ENDING UNDESIGNATED RESERVES.”</p>	1st & 2nd APPROVED

SNAPP / LILLIQUIST moved approval for first and second reading. MOTION CARRIED 7-0.	
<u>Planning and Community Development</u> Jack Weiss, Chair Michael Lilliquist; Gene Knutson	
AB20032 1. Discussion regarding public disturbance noise related to construction activities WEISS / KNUTSON moved to direct staff to bring forward an ordinance, as approved during committee, incorporating time recommendations for public disturbance noise related to construction activities from 7:00 a.m. - 8:00 p.m./weekdays and 9:00 a.m. - 8:00 p.m./weekends, to the July 15, 2013 City Council meeting; and to consider a public hearing component along with additional information from staff. MOTION CARRIED 6-1, BORNEMANN opposed.	DIRECTION TO STAFF
AB20033 2. Discussion regarding the regulation of amateur radio antennas WEISS / KNUTSON moved to direct staff to bring forward an ordinance to the Committee of the Whole on July 15, 2013 regular meeting. MOTION CARRIED 6-1, BORNEMANN opposed.	DIRECTION TO STAFF
<u>Lake Whatcom Reservoir and Natural Resources</u> Cathy Lehman, Chair Michael Lilliquist; Stan Snapp	
AB20034 1. Mid-season update on Aquatic Invasive Species Program boat inspections Information only.	Information only.
<u>Parks and Recreation</u> Gene Knutson, Chair Stan Snapp; Terry Bornemann	
AB20035 1. Noise variance request for the Boulevard Park Shoreline Improvement Project KNUTSON / SNAPP moved to approve a noise variance for nightwork for the Boulevard Park Shoreline Improvement Project, that may occur during low tides from July 16 through October 14, 2013. MOTION CARRIED 7-0.	APPROVED
AB20036 2. Budget Ordinance to appropriate Undesignated Reserves from the General Fund for Civic Stadium turf replacement “AN ORDINANCE RELATING TO THE 2013 BUDGET APPROPRIATING AN ADDITIONAL \$180,000.00 FROM ESTIMATED ENDING RESTRICTED RESERVES CAPITAL IN THE GENERAL FUND TO PAY FOR THE REPLACEMENT OF THE ARTIFICIAL TURF AT CIVIC FIELD.” KNUTSON / SNAPP moved approval for first and second reading. MOTION CARRIED 6-1, WEISS opposed.	1st & 2nd APPROVED
AB20037 3. Bid Award for Civic Stadium Turf Replacement, Bid #38B-2013 KNUTSON / SNAPP moved to award Bid No. 38B-2013 for Civic Stadium Field Synthetic Turf Replacement to Sprinturf of Atlanta, Georgia as the lowest responsive, responsible bidder and to authorize the Mayor to enter into a contract with them for the amount of their bid which is \$399,904.04, which includes WSST. MOTION CARRIED 6-1, WEISS opposed.	APPROVED
AB20038 4. Budget Ordinance to amend the 2013 Budget appropriating \$30,000 from Estimated Ending Undesignated Reserves in the Golf Course Fund to pay for repairs and maintenance at Lake Padden Golf Course “AN ORDINANCE RELATING TO THE 2013 BUDGET APPROPRIATING AN ADDITIONAL \$30,000.00 IN THE GOLF COURSE FUND TO COMPLETE THE WASH BAY EQUIPMENT FACILITIES PROJECTS SCHEDULE FOR THIS YEAR, FROM ESTIMATED ENDING UNDESIGNATED RESERVES.”	1st & 2nd APPROVED

KNUTSON / SNAPP moved approval for first and second reading. MOTION CARRIED 7-0.	
<p>AB20039 5. Bid award for Lake Padden Golf Course Equipment Wash Bay Facilities, Bid #34B-2013</p> <p>KNUTSON / SNAPP moved to award Bid No.34B-2013 for Lake Padden Golf Course Equipment Wash Bay Facilities Project to Minergy, Inc. of Ferndale, Washington as the lowest responsive, responsible bidder and to authorize the Mayor to enter into a contract with them for the amount of their bid which is \$94,203.22, which includes WSST. MOTION CARRIED 7-0.</p>	APPROVED
<p>Committee Of The Whole Seth Fleetwood, Chair Jack Weiss, Gene Knutson, Cathy Lehman, Stan Snapp, Michael Lilliquist, Terry Bornemann</p>	
<p>AB20002 1. Update on expansion of PEG Access Television</p> <p>FLEETWOOD / KNUTSON moved that:</p> <ul style="list-style-type: none"> • An RFP should be written for organizations interested in operating a single new channel that would include a public access component. • An RFP should encourage collaborative approaches between local organizations for programming and/or station operations. • Respondents to an RFP should identify an approach for sharing of local equipment resources between local television entities, including BTV-10. • Respondents should identify additional monetary or in-kind resources that will contribute to station operations. This could include regular contributions to operating funds, a fund-raising plan, or in-kind resources such as an office or studio space, a plan to organize volunteers to help run a station, etc. • The RFP should identify a three-year initial operating period for the new station/channel, with a review after three years and the option of two additional one-year extension by mutual agreement. • The proposal should retain some of the dollars available from the Franchise Fee in a reserve for possible new programming or special projects. <p>MOTION CARRIED 5-2, LEHMAN, BORNEMANN opposed.</p>	Direction to staff
<p>AB19957 2. Ordinance approving the Pacific Highway Aldrich Road annexation consisting of approximately 262.5 acres located within the City's Northern Urban Growth Area</p> <p>“AN ORDINANCE RELATING TO THE ANNEXATION OF APPROXIMATELY 262.5 ACRES OF UNINCORPORATED PROPERTY LOCATED ADJACENT TO THE NORTHERN BOUNDARY OF THE BELLINGHAM CITY LIMITS AND COMMONLY KNOWN AS THE PACIFIC HIGHWAY ALDRICH ROAD ANNEXATION; ASSIGNING CITY LAND USE AND ZONING DESIGNATIONS AND ESTABLISHING AN EFFECTIVE DATE.”</p> <p>KNUTSON / LEHMAN moved approval for first and second reading. MOTION CARRIED 6-1, WEISS opposed.</p>	1st & 2nd APPROVED
<p style="text-align: center;">3. Approval of City Council Committee and/or Special Meeting minutes</p> <p>None submitted at evening meeting.</p>	
<p style="text-align: center;">4. Old/New business</p> <p>Alan Marriner, Assistant City Attorney presented two emergency ordinances.</p> <p>Council President Fleetwood called for a break so that Council Members could read the two proposed ordinance.</p>	

Council President Fleetwood called the meeting back to order at 8:59 p.m.	
<p>AB20043 1. An emergency ordinance imposing a moratorium on the establishment of facilities producing, processing and retailing recreational marijuana.</p> <p>“AN ORDINANCE OF THE CITY OF BELLINGHAM, WASHINGTON, RELATING TO THE RECREATIONAL USE OF MARIJUANA, DECLARING AN EMERGENCY, ESTABLISHING AN IMMEDIATE EMERGENCY MORATORIUM ON THE SITING, ESTABLISHMENT AND OPERATION OF ANY STRUCTURES OR USES RELATING TO MARIJUANA PRODUCTION, MARIJUANA PROCESSING, OR MARIJUANA RETAILING (SPECIFICALLY EXCLUDING MEDICAL MARIJUANA OR MEDICAL CANNABIS) AND THE SUBMISSION OF ANY BUSINESS REGISTRATION OR LICENSE APPLICATIONS FOR SUCH USES, AND SETTING TWELVE MONTHS AS THE EFFECTIVE PERIOD OF THE MORATORIUM, TO ALLOW THE WASHINGTON STATE LIQUOR CONTROL BOARD AN OPPORTUNITY TO COMPLETE ITS RULEMAKING FOR THE LICENSING OF SUCH USES AND TO ALLOW THE CITY TO STUDY THE LAND USE IMPACTS OF SUCH USES.”</p> <p>KNUTSON / WEISS moved final approval of Emergency Ordinance #2013-07-047. MOTION CARRIED 7-0.</p>	<p>Emergency Ordinance #2013-07-047 APPROVED</p>
<p>AB20044 2. An emergency ordinance adopting interim zoning for the cultivation of medical marijuana for personal use and in collective gardens</p> <p>“AN ORDINANCE OF THE CITY OF BELLINGHAM, WASHINGTON, RELATING TO LAND USE AND ZONING, DECLARING AN EMERGENCY AND ADOPTING INTERIM ZONING REGULATIONS FOR THE CULTIVATION OF MEDICAL CANNABIS (MARIJUANA) FOR PERSONAL USE AND IN COLLECTIVE GARDENS AND SETTING TWELVE MONTHS AS THE EFFECTIVE PERIOD OF THE INTERIM ZONING REGULATIONS TO ALLOW THE CITY TO STUDY THE LAND USE IMPACTS OF SUCH USES.”</p> <p>KNUTSON / WEISS moved final approval of Emergency Ordinance #2013-07-048. MOTION CARRIED 7-0.</p>	<p>EMERGENCY ORDINANCE #2013-07-048 APPROVED</p>
<p>FLEETWOOD / BORNEMANN moved to authorize hanging the Gay Pride Flag at City Hall on July 12, 13 and 14, 2013. MOTION CARRIED 7-0.</p>	<p>APPROVED</p>
<p><u>Executive Session - Report and action only.</u></p>	
<p>1. Potential Property Acquisition: Staff provided information on a potential property acquisition. Direction given. No action taken.</p>	<p>No action.</p>
<p>2. Potential Property Acquisition: Staff provided information on a potential property acquisition. Direction given. No action taken.</p>	<p>No action.</p>
<p>3. Potential Litigation: Staff provided information on a potential litigation matter.</p> <p>KNUTSON / BORNEMANN moved to authorize the Mayor to execute an amendment to the R. G. Haley Agreed Order allowing an interim action. MOTION CARRIED 7-0.</p>	<p>APPROVED</p>
<p>4. Potential Litigation: Staff provided information on a potential litigation matter. Information only. No action taken.</p>	<p>No action.</p>
<p><u>Mayor's Report</u></p>	
<p>1. Standing time for briefings, updates and reports to Council by the Mayor, if needed. Information only.</p> <p>Mayor Linville brief the council on:</p> <ul style="list-style-type: none"> • Legislative update: the legislature has reached an agreement on the budget. The City is developing a 2013 Water/Sewer Revenue Bond to help make up for the lack of funding that the City had hoped to get from the state. • Citywide Housing Affordability work group continues to meet with the goal of 	

<p>presenting implementation items to Council. Next meeting scheduled for July 23, 2013.</p> <ul style="list-style-type: none"> • Waterfront Plan information sessions, walking tours, waterfront tours are scheduled and the full schedule is on the web site at www.cob.org 	
<p>Consent Agenda All matters listed on the Consent Agenda are considered routine and/or non-controversial items and may be approved in a single motion. A member of the Council may ask that an item be removed from the Consent Agenda and considered separately.</p>	
<p>AB20040 1. Bid Award for Organophilic Clay, Bid #41B-2013, #EC-0018</p>	<p>(Consent Agenda)</p>
<p>AB20041 2. Authorization of checks issued for pay period June 7, 2013 through June 13, 2013</p>	<p>(Consent Agenda)</p>
<p>AB20042 3. Authorization of checks issued for pay period June 14, 2013 through June 20, 2013</p> <p>KNUTSON / LEHMAN moved approval of the Consent Agenda in its entirety. MOTION CARRIED 7-0.</p>	<p>CONSENT AGENDA APPROVED IN ITS ENTIRETY</p>
<p>Final Consideration of Ordinances</p>	
<p>AB20009 1. AN ORDINANCE RELATING TO THE 2013 BUDGET RECLASSIFYING POSITIONS IN THE FINANCE AND PUBLIC WORKS DEPARTMENTS TO PROVIDE FOR THE TRANSFER OF MAIL SERVICES TO THE PUBLIC WORKS WAREHOUSE GROUP WHERE NO ADDITIONAL APPROPRIATION OR REALLOCATION OF FUNDS IS REQUIRED</p> <p>LILLIQUIST / KNUTSON moved approval for third and final reading. Upon motion, said bill was placed on final passage and approved by the following roll call vote:</p> <p>AYES: BORNEMANN, FLEETWOOD, LEHMAN, KNUTSON, LILLIQUIST, SNAPP, WEISS NAYS: ABSTENTIONS:</p> <p>MOTION CARRIED 7-0 and was thereafter named Ordinance #2013-07-049</p>	<p>Ord. 2013-07-049 APPROVED</p>
<p>AB20010 2. AN ORDINANCE RELATING TO THE 2013 BUDGET TRANSFERRING \$500,000.00 FROM THE STREET FUND AND \$1,000,000.00 FROM THE LID GUARANTY FUND TO THE SURFACE AND STORMWATER FUND AND APPROPRIATING \$1,850,000 IN THE SURFACE AND STORMWATER FUND TO PURCHASE LAND FOR THE CREATION OF A REGIONAL STORMWATER FACILITY</p> <p>KNUTSON / LEHMAN moved approval for third and final reading. Upon motion, said bill was placed on final passage and approved by the following roll call vote:</p> <p>AYES: BORNEMANN, FLEETWOOD, LEHMAN, KNUTSON, LILLIQUIST, SNAPP, WEISS NAYS: ABSTENTIONS:</p> <p>MOTION CARRIED 7-0 and was thereafter named Ordinance #2013-07-050</p>	<p>Ord. 2013-07-050 APPROVED</p>
<p>AB20017 3. AN ORDINANCE GRANTING ASTOUND BROADBAND, LLC A NON-EXCLUSIVE FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN TELECOMMUNICATIONS FACILITIES FOR THE TRANSMISSION OF TELECOMMUNICATIONS IN, THROUGH, OVER AND UNDER THE RIGHTS-OF-WAY WITHIN THE CITY OF BELLINGHAM</p> <p>LEHMAN / BORNEMANN moved approval for third and final reading. Upon motion, said bill was placed on final passage and approved by the following roll call vote:</p>	<p>Ord. 2013-07-051 APPROVED</p>

<p>AYES: BORNEMANN, FLEETWOOD, LEHMAN, KNUTSON, LILLIQUIST, SNAPP, WEISS NAYS: ABSTENTIONS:</p> <p>MOTION CARRIED 7-0 and was thereafter named Ordinance #2013-07-051</p>	
<p>AB20019 4. AN ORDINANCE RELATING TO LAND USE PLANNING AND ZONING, SPECIFICALLY REZONING APPROXIMATELY 2.4 ACRES AND CREATING A NEW SUBAREA (17A) IN THE CORDATA NEIGHBORHOOD ZONING TABLE AND ZONING MAP. THE CREATION OF THE NEW SUBAREA REMOVES THE REQUIREMENT FOR A MINIMUM PLANNED CONTRACT SITE PLAN - RESIDENTIAL 4 ACRES, COMMERCIAL 8 ACRES</p> <p>SNAPP / LEHMAN moved approval for third and final reading. Upon motion, said bill was placed on final passage and approved by the following roll call vote:</p> <p>AYES: BORNEMANN, FLEETWOOD, LEHMAN, KNUTSON, LILLIQUIST, SNAPP, WEISS NAYS: ABSTENTIONS:</p> <p>MOTION CARRIED 7-0 and was thereafter named Ordinance #2013-07-052</p>	<p>Ord. 2013-07-052 APPROVED</p>
<p>AB20023 5. AN ORDINANCE REPEALING BMC 6.17.500 TO ELIMINATE A CONFLICT WITHIN THE CODE</p> <p>LILLIQUIST / KNUTSON moved approval for third and final reading. Upon motion, said bill was placed on final passage and approved by the following roll call vote:</p> <p>AYES: BORNEMANN, FLEETWOOD, LEHMAN, KNUTSON, LILLIQUIST, SNAPP, WEISS NAYS: ABSTENTIONS:</p> <p>MOTION CARRIED 7-0 and was thereafter named Ordinance #2013-07-053</p>	<p>Ord. 2013-07-053 APPROVED</p>
<p>Adjournment</p> <p>There being no further business, the meeting adjourned at 9:25 p.m.</p>	
<p style="text-align: center;">Next City Council Meeting Monday July 15, 2013</p>	